

EXHIBIT A

BID BOARD NOTICE

PROCUREMENT ID NUMBER: PHPA-S2490

ISSUE DATE: October 12, 2016

TITLE: *Digital/Print Publications Media Buy and Placement Promoting Responsible Tobacco Retailing across Maryland*

PLEASE READ THE ENTIRE SOLICITATION BEFORE SUBMITTING YOUR PROPOSAL

THIS SOLICITATION SHALL BE MADE IN ACCORDANCE WITH THE SMALL PROCUREMENT REGULATIONS DESCRIBED IN COMAR 21.05.07

This solicitation has been designated as a Small Business Reserve (SBR); only registered SBRs may respond. Please apply at <http://emarylandmarketplace.com> to begin the process, and then follow the prompts to see if your business qualifies. For assistance in the SBR registration process, please call 410-767-1492. If you qualify, please put your SBR number on the Bid Form.

Summary Statement

The Center for Tobacco Prevention and Control (hereafter referred to as CTPC) within the Maryland Department of Health and Mental Hygiene (DHMH) is soliciting bids for seven (7) months of ad placement in print and digital publications that reach retailers who sell tobacco products. The media buy will support initiatives to promote responsible tobacco retailing in sales outlets, change community norms, and reinforce that selling tobacco to youth under the age of 18 is in violation of local, state and federal laws.

A single contract will be awarded. Bidders must first meet all of the mandatory requirements; afterwards an award will be made on the basis of the most advantageous offer to the State of Maryland considering lowest price and that requirements listed in the Scope of Service are met. The anticipated term of the contract resulting from this solicitation will begin *on or about* **October 26, 2016 through June 30, 2017. Bids must not exceed \$25,000.**

Background

Retailers play an important role in preventing youth tobacco initiation by eliminating or reducing access to tobacco. In fact, retailer behavior is the strongest predictor in the sale of cigarettes to

youth;¹ youth who perceive cigarettes as easy to obtain are more likely to become regular smokers than those who perceive them as hard to get.² Underage smokers who are older are more likely than younger smokers to buy cigarettes directly in stores and become regular smokers.³ Youth who are regular smokers are also the most likely to supply other youth with tobacco products.⁴

CTPC continues to educate licensed tobacco retailers and community members on tobacco sales laws and ways to reduce youth access to tobacco. Toolkits and other media have been developed and continue to be distributed as part of the *Responsible Tobacco Retailer Initiative* which reminds retailers of their unique responsibility to reduce and eliminate underage access to tobacco products in Maryland. The number of retailers selling tobacco to minors has decreased drastically in the past few years; however, in light of the new FDA deeming rule which extends FDA's authority to regulate all tobacco products⁵ and the new Maryland licenses being issued by the MVA, it is imperative to continue to educate and provide resources to retailers to assist with continued compliance of youth access laws. More information on the *Initiative* can be found at www.NoTobaccoSalesToMinors.com.

CTPC is seeking a vendor to place ads in digital and print publications to reach the thousands of retailers across the State. The ads will reinforce the importance of following the law by not selling tobacco to kids while reminding retailers of the resources available to them.

Scope of Service

The selected Bidder shall provide the following:

1. A media placement schedule/work plan including the names and dates of proposed publications.

The selected Bidder must place ads as detailed below.

- a. **The Maryland Beverage Journal (www.beveragejournalinc.com)**: Place one (1) full-color, full-page ad (live size: 8" x 10.5") in the Maryland Beverage Journal for each of the following seven (7) publication months: December, January, February, March, April, May, and June.

¹ Klondoff, A & Landrine, H, "Predicting youth access to tobacco: the role of youth versus store-clerk behavior and issues of ecological validity," *Health Psychology* 23(5):517-524, September 2004.

² Doubeni, C, et al., "Perceived Accessibility as a Predictor of Youth Smoking," *Annals of Family Medicine* 16(1):137-45, July/August 2008.

³ Substance Abuse & Mental Health Services Administration, U.S. Dept of Health & Human Services, 2003 National Survey on Drug Use and Health, September 9, 2004.

⁴ Campaign for Tobacco-Free Kids Factsheet, Where Do Youth Smokers Get Their Cigarettes, <http://tobaccofreekids.org/research/factsheets/pdf/0073.pdf>.

⁵ FDA's New Regulations for E-Cigarettes, Cigars, and All Other Tobacco Products (website): www.fda.gov/TobaccoProducts/Labeling/RulesRegulationsGuidance/ucm394909.htm

- b. **Patch.com:** Place ads on both desktop and mobile units for six (6) months, ads shall air *on or about* the following times:
- November 15, 2016 through December 15, 2016
 - January 15, 2017 through February 15, 2017
 - March 1, 2017 through June 15, 2017

Ads must reach residents of Baltimore City, and Anne Arundel, Baltimore, Carroll, Harford, Howard, Montgomery and Prince George’s Counties via the 48 “Patch towns” in Maryland (www.patch.com/Maryland). Ads must achieve a *minimum of* 1.26 million impressions; must be full-color; must air on both mobile and desktop units during each of the six (6) months; and must achieve no less than 210,000 impressions per month. The following ad sizes shall be placed on desktop units: 970 x 250 and 300 x 250 Pixels. The following ad sizes shall be placed on mobile units: 300 x 250 and 320 x 50 Pixels.

- c. **The Baltimore Sun:** Place one (1) black and white, 1/8 square (4.91" x 4.98") ad in the Baltimore Sun Sunday edition, one Sunday a month for each of the following months in 2017: January, February, March, April, May, and June.

Additionally, the selected Bidder shall place ads on both Baltimoresun.com and touch.baltimore.com (mobile) for six (6) months, ads shall air *on or about* the following times:

- November 15, 2016 through December 15, 2016
- January 15, 2017 through February 15, 2017
- March 1, 2017 through June 15, 2017

Digital ads must achieve a *minimum of* 750,000 impressions, must air during each of the six (6) months and must achieve no less than 125,000 impressions per month. The following ad sizes shall be placed on Baltimoresun.com: 728 x 90 and 300 x 250 Pixels. The following ad sizes shall be placed on touch.baltimore.com (mobile): 300 x 250 and 320 x 50 Pixels.

2. Place the ads per the approved schedule in print and digital mediums for a seven (7) month period *on or about* November 15, 2016 through June 15, 2017, as outlined above.
3. The selected Bidder shall be responsible for providing minor edits to the creative files – re-sizing to fit the publication parameters and adjustment of the text, if needed. Creative files are available in a variety of sizes and will be provided to the selected Bidder upon award (see Attachment B for sizes available). All edits must be approved by CTPC in writing prior to publishing. Once edits have been approved by the Department, the selected Bidder shall ensure files are as “camera-ready” artwork in the specifications necessary for printing and placing the media.

CTPC may develop new ads during the course of this contract, if new ads are developed, the selected Bidder shall be required to re-size and place the new creative, in addition to the current creative in each of the publications. *Creative development is not a part of this contract.*

4. Provide monthly update reports in a format provided by CTPC that provides details on contract deliverables for the preceding month, including: the number and size of ads aired/published, dates of publications, publication names, proof of deliverables and representative samples of the media placement, copies of publications, and estimated reach/impressions achieved. Reports are due by the 15th day of the month following the reporting month (e.g., December Report is due no later than January 15th).
5. Provide a final summary report in a format provided by CTPC that provides details of the contract deliverables, including final publication dates/air dates, reach, impression, and frequency data, and contracts/invoices from the publications, due no later than June 30, 2017.

Ownership and Rights of Materials

Work produced as a result of this solicitation, in part or in whole, is and shall remain the sole property of the Department. The selected Bidder agrees that, at all times during the term of this contract and thereafter, the works created and services performed shall be “works made for hire” as that term is interpreted under the federal copyright law. **All materials developed will remain the property of the State of Maryland. All related fees must be included in the final bid price.**

All design, production, and printing-related fees must be included in the final bid price.

Final products must be available for the perpetual use of the Department for future campaigns at no additional cost. The Department will have final approval on the final ads. All materials, including component pieces, will be the property of and solely owned by the Department.

If changes are made to the original creative, the selected Bidder shall provide all final products in “ready to use” formats. All print materials shall be packaged and sent in both high resolution PDF formats (300 dpi at full size or better) and their original file formats (I.e., InDesign, Photoshop, Illustrator, etc.). Any vector based graphics shall be submitted in their original, editable file formats. The selected Bidder shall provide a summary document outlining all of the specs (I.e., fonts, colors, etc.) used in the designs, so the Department may use the ads in the future. The selected Bidder shall provide all material files in a variety of electronic formats (I.e., JPEG, PDF, gif, tif, DVD copies, etc.) as deemed necessary by the Department.

If any additional media is developed, final products must be available for the perpetual use of the Department and its designees for future campaigns at no additional cost. Any media that is

developed must be available for use at the Department's discretion. The selected Bidder shall provide all material files in formats deemed necessary by the Department.

Mandatory Requirements

- 1) This solicitation has been designated as a Small Business Reserve (SBR). Bidders must be registered as an SBR in order to submit a bid.
- 2) The selected Bidder may not currently work with or have a history of working with the tobacco industry. Bidders must provide a statement certifying they do not currently work with or have a history of working with the tobacco industry.
- 3) The Bidder shall submit a brief summary of their experience placing ads in print and digital publications, including years of experience; the ability to reach a minimum number of impressions; the ability to re-size ads using formats described in Attachment B; and the ability to complete all aspects listed in the Scope of Service. The Bidder must have a minimum of three (3) years of experience re-sizing and placing ads in print and digital publications.
- 4) Bidders must place ads in publications, achieve a *minimum of* 1.26 million impressions on patch.com, achieve a *minimum of* 750,000 impressions on baltimoresun.com and touch.baltimore.com (mobile) and complete all other deliverables and placements as outlined in the Scope of Service. Documentation/schedule showing publication name, dates, ad sizes, expected reach of the target audience, and cost per publication must be provided with bid.

Contract Term

The term of this contract shall be *on or about* **October 26, 2016 through June 30, 2017**.

Billing

Payment will be made by the Center for Tobacco Prevention and Control upon receipt of acceptable deliverables and invoices from the selected Bidder. The selected Bidder shall bill the Department 50% upon receipt of the contract. The remaining 50% will be billed upon satisfactory completion of project deliverables and receipt of a final itemized invoice and summary report from the selected vendor. **Invoices must be on company letterhead and include vendor's name, address, date, line item breakdown, Tax ID #, contract dates, contract number, Blanket Purchase Order (BPO) number, and signature in order to be processed.** The selected Bidder must mail original, signed invoices to the contract monitor for payment. No emailed, scanned, faxed, or copied invoices will be accepted.

Award

This is a multi-step bid. Vendors must first meet all of the mandatory requirements; afterwards an award will be made on the basis of the most advantageous offer to the State of Maryland considering lowest price and that requirements listed in the Scope of Service are met. *Bids exceeding \$25,000 will not be accepted.*

TIE-BIDS

If bids are received from responsive and responsible bidders that are identical in total price, terms and conditions, and which meet all the requirements set forth in the Invitation of Bids, an award will be made in accordance with COMAR 21.05.02.14B.

If a tie still exists, the bidder who provides the highest number of impressions for the campaign shall be used to determine the successful bidder.

BID SUBMISSION INFORMATION

Interested parties should submit their bid with a completed “Bid Form” in a single envelope with the Procurement Officer information and the Procurement ID clearly marked. The bid must include ALL final costs for completing the project.

SUBMISSION DEADLINE

Bids shall be e-mailed and must be received by the **Procurement Officer NO LATER than 12:00pm NOON on October 20, 2016** in order to be considered. E-mail submission shall have two pdf attachments 1) statements/summaries supporting the mandatory requirements and 2) bid form. The e-mail subject heading must show the Procurement ID number.

Bidders will receive a reply e-mail from the PROCUREMENT OFFICER verifying receipt.

Questions regarding this solicitation should be directed (by e-mail only, no phone calls will be accepted) to the PROCUREMENT OFFICER.

DHMH Procurement Officer

Mr. Vern L. Shird, CPPB
Chief Operations Officer
PHPA, MD DHMH
201 W. Preston St. Room 322
Baltimore, MD 21201
Phone: 410-767-5555
vern.shird@maryland.gov

ISSUING OFFICE:

MD DHMH
Center for Tobacco Prevention and Control
201 West Preston St.
Baltimore, MD 2120

**MINORITY BUSINESS ENTERPRISES ARE STRONGLY ENCOURAGED TO
RESPOND TO THIS SOLICITATION**

Bid Form

EXHIBIT B

PROCUREMENT I.D. NUMBER: PHPA-S2490

ISSUE DATE: October 12, 2016

TITLE: *Digital/Print Publications Media Buy and Placement Promoting Responsible Tobacco Retailing across Maryland*

A. Bidder Information:

Vendor Name: _____
Federal Tax ID (FEIN#): _____
Contact Person: _____
Address: _____
Telephone/Fax: _____
Email: _____
SBR Number: _____

B.

Publication Name	Number of Ads	Expected Impressions	Price
Maryland Beverage Journal			
Patch.com			
Baltimore Sun (print)			
Baltimore Sun (digital)			
Administrative Costs (e.g., Writing reports, resizing ads, etc.)	N/A	N/A	
Indirect Costs (cannot exceed 7% of Administrative Costs)	N/A	N/A	
Total			Place in C below.

C. Total Cost of Campaign \$ _____

**Total Costs exceeding \$25,000 will be rejected.*

The bid must include any and ALL final costs for completing the project.

Signature

Date

Vendor signature and date certifies that bid submission is correct and that vendor agrees to perform all services stated in BBN PHPA-S2490.

Attachment B -- Ad sizes and formats currently available.

CTPC will provide the selected Bidder ads in the following sizes, specifications and formats. The selected Bidder shall be responsible for all modifications required to place the ads in the required publications. Additionally, CTPC may develop new ads during the course of this contract, if new ads are developed, the selected Bidder shall be required to re-size and place the new creative, in addition to the current creative in each of the publications. *Creative development is not a part of this contract.*

Web Ads: Web ad files are available in the following sizes (in pixels) as .PSD and .GIF formats.

1. 728 x 90
2. 300 x 60
3. 320 x50
4. 300 x 250
5. 500 x 500

Print Ads: Print ad files are available in the following sizes (in inches) as .INDD and high-res PDF formats.

1. 8.5 x 11
2. 5.5 x 8.5

